

# EXHIBIT KK

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: PROCESSED EGG PRODUCTS ) MDL NO. 2002  
ANTITRUST LITIGATION ) 08-md-02002

THIS DOCUMENT RELATES TO: )

The Kroger Co. et al. v. United Egg )  
Producers, Inc. et al., )  
No. 2:10-cv-06705 GP )  
)

HIGHLY CONFIDENTIAL

30(b)(6) DEPOSITION OF SAFEWAY, INC.

DESIGNEE: BRIAN DOWLING

San Francisco, California

Friday, April 11, 2014

Reported by:

JANIS JENNINGS

CSR No. 3942, CLR, CCRR

1 Q. And from which colleges and in what years  
2 were those?

3 A. My undergraduate degree I -- from Cal State  
4 Hayward here in Northern California, 1978. And I  
5 have a master's degree in -- an MBA from St. Mary's  
6 University in Moraga, California, and I received  
7 that in 1992.

8 Q. And when did you start working at Safeway?

9 A. I worked for Safeway -- well, my -- in my  
10 current position, in 1980. Wrong. Correction.  
11 January 1979.

12 Prior to that, I spent time in the stores,  
13 five years in the stores as a clerk when I was going  
14 to college and high school and -- and then I left  
15 the company, came back to the company in 1979. So I  
16 had about a two-year break in service, as they say  
17 in our company. But I've -- I've been with the  
18 company almost my entire working life.

19 Q. And starting in 1979, what was your position  
20 when you came back to the company then?

21 A. I was a -- the title was research writer in  
22 the corporate communications department.

23 Q. And until when were you in that position?

24 A. I was in that position from 1979 to 1985.  
25 And then from going to -- from 1985 -- I -- I moved

1 managed media relations, community relations,  
2 external affairs, but from the time that I've been  
3 there since 1998, I've managed, you know, external  
4 affairs in all interactions with the media, outside  
5 organizations, that sort of thing.

6 Q. And before the job that you're in now  
7 changed in 2003, as you describe it, what were your  
8 roles and responsibilities since 1998?

9 A. Managing media relations, dealing with press  
10 inquiries from news media for a period of time,  
11 between 1998 and 2003, I also had government  
12 relations, so all of our activities at the state  
13 level and at the federal level as well and managed  
14 the activities of -- of that. And then in 2003, we  
15 sort of broke that off and it was -- became sort of  
16 separate, still part of the public affairs  
17 government relations function, but I didn't manage  
18 it after 2003.

19 Q. And in your current position as vice  
20 president of public affairs, what has been your  
21 roles and responsibilities specific to animal  
22 welfare issues?

23 A. Well, I mean, I think, you know, managing,  
24 you know, our interactions with groups, external  
25 groups, activist groups that have an interest in

1 point, describe myself as sort of the -- the  
2 convener in some of these issues, but that's not  
3 necessarily the case, only with animal welfare.

4 I mean, we -- we are dealing, you know, as  
5 you might imagine during the course of a year with  
6 hundreds of different issues and a broad range of  
7 subject matter and the public affairs function  
8 performs sort of the same function as it relates to,  
9 you know, Greenpeace and their interest in seafood  
10 or the farm workers as it relates to issues on -- on  
11 the produce side of our business, you know,  
12 interacting with our labor communications teams as  
13 it relates to the unions representing our companies.  
14 Public affairs is often in the position where you're  
15 bringing people together to sort of discuss the  
16 issue and develop a position, you know. That's, I  
17 guess, the best way I would describe our role.

18 Q. And focusing specifically on animal welfare  
19 issues.

20 A. Right.

21 Q. How -- can you describe your interactions  
22 with these other groups within Safeway, and  
23 specifically, your roles as to convening them as  
24 you've described it.

25 A. Well, I mean, for instance, on , you know,